

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US04/19453

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C07D 491/044; A61K 31/407

US CL : 548/453; 514/421

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 548/453; 514/421

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
CAS ONLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 02/47610 A2 (FENICAL et al) 20 June 2002 (20.06.2002)	1-8



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed



"T" later documents published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention



"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone



"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art



"Z" document member of the same patent family

Date of the actual completion of the international search

13 October 2004 (13.10.2004)

Date of mailing of the international search report

29 NOV 2004

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Fiona T. Powers

Telephone No. 703-308-1235

DEBORAH A. THOMAS
PARALEGAL SPECIALIST

GROUP 1300

REC'D 01 DEC 2004

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

INTD

PCT

To:
Lisa A Haile
Gray, Gary, Ware & Freidenrich LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year)

29 NOV 2004

FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference

International application No.

PCT/US04/19453

International filing date (day/month/year)

18 June 2004 (18.06.2004)

Priority date (day/month/year)

20 June 2003 (20.06.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): C07D491/044; A61K 31/407 and US Cl.: 548/453; 514/421

Applicant

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Fiona T. Powers

DEBORAH A. THOMAS
PARALEGAL SPECIALIST

~~GROUP 1000~~

Telephone No. 703-308-1235

pet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/19453

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US04/19453

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-14</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>1-14</u>	YES
	Claims <u>NONE</u>	NO
Industrial applicability (IA)	Claims <u>1-14</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1 to 14 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed compounds having the structure (I), pharmaceutical compositions thereof or method of treating a mammalian cell proliferative disorder therewith.

Claims 1 to 14 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.